

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application for Approval of the
Indirect Transfer of Control of DSLnet
Communications, LLC (U-6191-C) to
VantagePoint Venture Partners.

Application 01-11-017
(Filed November 8, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING
REQUIRING AMENDED APPLICATION**

The application of DSLnet Communications, LLC (DSLnet) and VantagePoint Venture Partners (VPVP) (jointly, "Applicants") does not contain sufficient information for further processing unless amended. Specifically, Applicants have not provided:

1. Articles of incorporation of VPVP pursuant to Rule 16 of the Commission's Rules of Practice and Procedure.
2. A balance sheet and income statement for VPVP pursuant to Rule 36(a).
3. A copy of the proposed transfer agreement pursuant to Rule 36(b).

In addition, in accordance with Rule 35(e), Applicants should provide:

1. A description of the management team of VPVP since they will now hold a controlling interest in a California competitive local exchange carrier.
2. A sworn statement regarding the management of VPVP as set forth in Attachment A to this ruling.

This ruling requires that Applicants file an amended application containing all items noted above within 14 days from the date of this ruling in order to process the application.

IT IS RULED that within 14 days from the date of this ruling, DSLnet Communications, LLC and VantagePoint Venture Partners shall file an amended application containing the information set forth in this ruling.

Dated December 13, 2001, at San Francisco, California.

/s/ DOROTHY J. DUDA

Dorothy J. Duda
Administrative Law Judge

Attachment A

I. Certifications

Provide a statement under oath certifying that the following is true. If such is not the case, provide an explanation.

- a. To the best of applicant's knowledge, neither applicant, any affiliate, officer, director, partner, nor owner of more than 10% of applicant, or any person acting in such capacity whether or not formally appointed, has been sanctioned by the Federal Communications Commission or any state regulatory agency for failure to comply with any regulatory statute, rule or order.
- b. No affiliate, officer, director, partner, or person owning more than 10% of applicant, or anyone acting in such a capacity whether or not formally appointed, held one of these positions with a telecommunications carrier that filed for bankruptcy, or has been found either criminally or civilly liable by a court of appropriate jurisdiction for a violation of § 17000 *et seq.* of the California Business and Professions Code, or for any actions which involved misrepresentations to consumers, and to the best of applicant's knowledge, is not currently under investigation for similar violations.

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Requiring Amended Application on all parties of record in this proceeding or their attorneys of record.

Dated December 13, 2001, at San Francisco, California.

/s/ JACQUELINE GORZUCH

Jacqueline Gorzuch

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

A.01-11-016 DOT/jgo